

LEGISLATIVE ANALYSIS AND PUBLIC POLICY ASSOCIATION

MODEL ADDRESSING INHALANT USE ACT

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Alex Barriger

Office of National Drug Control Policy,
Executive Office of the President

Yanchun Lin, PhD

Children's Hospital of Philadelphia

Scott E. Bowen, PhD

Wayne State University

Michael M. McCormick, PhD

Office of National Drug Control Policy,
Executive Office of the President

James A. Fontaine, Esq.

Office of the San Diego County District
Attorney

Eli Strait, RN

UC San Diego Health

Neeraj Gandotra, MD

Substance Abuse and Mental Health Services
Administration, U.S. Department of
Health and Human Services

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SECTION I. SHORT TITLE.

This Act may be referred to as the “Model Addressing Inhalant Use Act,” “the Act,” or “Model Act.”

SECTION II. LEGISLATIVE FINDINGS AND PURPOSE.

(a) Legislative findings.—The [legislature]¹ finds that:

- (1) Inhalants are a class of substances that produce gases and/or vapors that individuals can take by inhalation in order to induce a condition of inebriation, intoxication, elation, excitement, exhilaration, euphoria, stupefaction, or the dulling of the brain or nervous system, or that changes, distorts, or disturbs the auditory, visual, or mental processes of an individual;²
- (2) Inhalants are present in common household products and generally fall into one of four categories: (a) volatile solvents; (b) aerosols; (c) gases; and (d) nitrites;³
- (3) Products that can be used as inhalants include, but are not limited to, glue, cleaning products, spray paint, felt-tip markers, gasoline, cooking sprays, nail polish remover, and nitrous oxide;⁴
- (4) Inhalant use can cause dizziness, hallucinations, delusions, belligerence, apathy, and impaired judgment, while long-term use can result in muscle weakness, disorientation, irritability, mood and anxiety disorders, depression, and potentially irreversible damage to the heart, liver, kidneys, lungs, and brain. A single use can result in asphyxiation or heart failure leading to death;⁵
- (5) Adolescents are the most likely to use inhalants because they are easy to access,

¹ This Act contains certain bracketed words and phrases (e.g., “[legislature]”). Brackets indicate instances where state lawmakers may need to insert state-specific terminology or facts.

² *Inhalants*, NAT’L INST. ON DRUG ABUSE (Sept. 2024), <https://nida.nih.gov/research-topics/inhalants>.

³ Ty A. Ridenour, Bethany C. Bray, and Linda B. Cottler, *Reliability of Use, Abuse, and Dependence of Four Types of Inhalants in Adolescents and Young Adults*, 91(1) DRUG & ALCOHOL DEPENDENCE 40 (Nov. 2, 2007) and Sina Radparvar, *The Clinical Assessment and Treatment of Inhalant Abuse*, 27(2) THE PERMANENTE J. (Apr. 20, 2023), <https://www.thepermanentejournal.org/doi/10.7812/TPP/22.164>. See also *Inhalants Fast Facts*, NAT’L DRUG INTEL. CTR. (June 2003), <https://www.justice.gov/archive/ndic/pubs4/4770/index.htm#illegal>.

⁴ NAT’L INST. ON DRUG ABUSE, *supra* note 2. See also *Inhalants Fast Facts*, NAT’L DRUG INTEL. CTR. (June 2003), <https://www.justice.gov/archive/ndic/pubs4/4770/index.htm#illegal>.

⁵ *Id.*

work quickly, and are portrayed on social media as safe and fun to use;⁶

- (6) According to the most recent survey on drug use conducted by the Substance Abuse and Mental Health Services Administration, in 2024, nearly 32 million people aged 12 and older reported using inhalants at least once in their lifetime;⁷
- (7) Approximately 14.5 million of the individuals surveyed reported illicit use of nitrous oxide, also known as “whippets,” “whip-its,” and “laughing gas,” at least once in their lifetime. Nitrous oxide is most commonly used as a sedative in medical and dental procedures and also has legitimate non-medical uses in the culinary field and in automobiles;⁸
- (8) Since 2010, misuse of nitrous oxide has risen steadily in the United States, with a 58 percent increase in “intentional nitrous oxide exposure reports” from 2023 to 2024;⁹ and
- (9) Regulation of certain substances, including age restrictions on the purchase of products subject to inhalant misuse, can help curtail the misuse and abuse of inhalants.

(b) Purpose.—The purpose of this Act is to:

- (1) Prohibit the sale of certain products containing inhalants to minors;
- (2) Establish additional requirements for the sale of inhalants, including restrictions on advertising and the retail sale of nitrous oxide as well as packaging requirements;
- (3) Establish criminal penalties related to inhalants; and
- (4) Establish education, prevention, and treatment requirements.

⁶ NAT’L INST. ON DRUG ABUSE, *supra* note 2. Pat Aussem, *Huffing & Dusting: Signs of Inhalant Misuse Parents Should Know*, PARTNERSHIP TO END ADDICTION (July 2025), [Huffing & Dusting: Signs of Inhalant Misuse Parents Should Know - Partnership to End Addiction](#).

⁷ *Key Substance Use and Mental Health Indicators in the United States: Results from the 2024 National Survey on Drug Use and Health*, U.S. DEP’T OF HEALTH AND HUM. SERVS., SUBSTANCE ABUSE & MENTAL HEALTH SERVS. ADMIN., Table 1.108A (July 2025), [Key Substance Use and Mental Health Indicators in the United States: Results from the 2024 National Survey on Drug Use and Health](#).

⁸ *Id.* Kathleen Hoke, *Nothing to Laugh About: Nitrous Oxide Misuse and the Need for a Public Health Response*, NETWORK FOR PUB. HEALTH LAW (Apr. 30, 2025), <https://www.networkforphl.org/news-insights/nothing-to-laugh-about-nitrous-oxide-misuse-and-the-need-for-a-public-health-response/>.

⁹ R. Andrew Yockey, *Addressing the Unregulated Use of Nitrous Oxide Canisters*, 6 J. OF MED., SURGERY, & PUB. HEALTH (2025), https://www.sciencedirect.com/science/article/pii/S2949916X25000143?_cf_chl_tk=CMO8VsB0qBXg7iTexwHJr_bnmZ5lyjrJqo8dAmOq2NdE-1774538969-1.0.1.1-ciNUS5LCRFXQTgr_jGA.iUtmJpd5kw.0ah8irfnuCEg.

Commentary

There are many products categorized as inhalants that have legitimate uses but can be misused by individuals seeking to get high. These products include, but are not limited to, lighter fluid; aerosol propellants found in hairspray, spray paint, deodorants, room fresheners, and cooking spray; adhesives, glues, and rubber cement; paint thinner; nail polish remover; fuel; refrigerants; anesthetics such as halothane; and nitrous oxide found in balloon tanks and used to increase engine performance in motor vehicles.¹⁰

Inhalants produce vapors that can be inhaled, either directly from open containers or by soaking rags in the substance and then “huffing” the rags.¹¹ Additionally, users can spray aerosols directly into their noses or mouths or onto the user’s shirt collar, sleeve, or cuffs to enable them to sniff the substance over a period of time.¹² Finally, users can spray substances into a paper or plastic bag, balloons, or other devices known as “snappers” and “poppers” and inhale the vapor.¹³ Depending on the substance, inhalants can “produce effects similar to alcohol, sedatives, or the early stages of anesthesia.”¹⁴ Substances can also cause a brief feeling of euphoria or a feeling of light-headedness, distorted vision, or disorganized thinking.¹⁵

Risks of long-term inhalant use include weight loss, muscle weakness, disorientation, irritability, and depression, while chronic use may cause “serious and sometimes irreversible damage to the user’s heart, liver, kidneys, lungs, and brain.”¹⁶ Long-term use is also “strongly associated with prevalence of personality, mood, and anxiety disorders, including major depression.”¹⁷ As with licit and illicit controlled substances, a single use can result in death – “sudden sniffing death (SSD) may result within minutes of inhalant abuse from irregular heart rhythm leading to heart failure”¹⁸ while inhaling nitrous oxide can cause asphyxiation.¹⁹ Other side effects of inhalant use include nausea, vomiting, slurred speech, drowsiness, belligerence, apathy, and impaired judgment.²⁰ Chronic use of nitrous oxide can cause degeneration of the cervical spine, peripheral neuropathy, and encephalopathy (*i.e.*, damage to the brain).²¹ Although rare, individuals who abuse nitrous oxide may also suffer with frostbite burns due to the extreme

¹⁰ Sina Radparvar, *The Clinical Assessment and Treatment of Inhalant Abuse*, 27(2) THE PERMANENTE J. (Apr. 20, 2023), <https://www.thepermanentejournal.org/doi/10.7812/TPP/22.164>.

¹¹ See, e.g., *Inhalants Fast Facts*, NAT’L DRUG INTEL. CTR. (June 2003), <https://www.justice.gov/archive/ndic/pubs4/4770/index.htm#illegal> and *Inhalants*, DRUG ENF’T ADMIN., <https://www.dea.gov/factsheets/inhalants>. “Huffing” is a slang term for inhaling toxic fumes by putting the substance on a cloth and pressing it to one’s mouth.

¹² *Inhalants Fast Facts*, NAT’L DRUG INTEL. CTR. (June 2003), <https://www.justice.gov/archive/ndic/pubs4/4770/index.htm#illegal>.

¹³ *Id.*

¹⁴ NAT’L INST. ON DRUG ABUSE, *supra* note 2.

¹⁵ *Id.*

¹⁶ NAT’L DRUG INTEL. CTR., *supra* note 12.

¹⁷ NAT’L INST. ON DRUG ABUSE, *supra* note 2.

¹⁸ NAT’L DRUG INTEL. CTR., *supra* note 12.

¹⁹ Cyrille De Halleux and David N. Juurlink, *Diagnosis and Management of Toxicity Associated with the Recreational Use of Nitrous Oxide*, 195(32) CAN. MED. ASS’N J. (Aug. 21, 2023), <https://www.cmaj.ca/content/195/32/E1075>.

²⁰ NAT’L INST. ON DRUG ABUSE, *supra* note 2.

²¹ Halleux and Juurlink, *supra* note 19.

cold associated with nitrous canisters.²² Finally, the deleterious effects associated with inhalant use during pregnancy include cleft palate, hearing loss, and developmental delays in the child.²³ Individuals who use inhalants regularly may experience withdrawal symptoms “including irritability, anxiety, and drug craving” when they stop use.²⁴

According to the most recent survey on drug use conducted by the Substance Abuse and Mental Health Services Administration, nearly 32 million people aged 12 and older reported using inhalants at least once in their lifetime.²⁵ The majority of those individuals – 14.5 million – reported using nitrous oxide, also known as “whippets,” while amyl nitrite, “poppers,” locker room odorizers, or “rush”²⁶ accounted for 10 million respondents.²⁷ Other inhalants reported as being abused include correction fluid, degreaser, or cleaning fluid; gasoline or lighter fluid; lacquer thinner and other paint solvents; spray paints; and computer cleaner/air dusters.²⁸

According to NIDA, adolescents are most likely to use inhalants.²⁹ This may be because they appear to be safe due to their ready availability at in person and online retail establishments, work quickly, and are used in social media “challenges,” where inhalants are portrayed as fun to use.³⁰ As a result, the primary goals of this Model Act are: (1) to implement measures to educate the public, particularly adolescents, on the dangers of inhalant use; and (2) prevent initiation into inhalant use by placing restrictions on purchasing certain products.

SECTION III. DEFINITIONS.

[States may already have definitions in place for some or all of the following terms. In such case, states may use the existing definitions in place of those listed below.]

For purposes of this Act, unless the context clearly indicates otherwise, the words and phrases listed below have the meanings given to them in this section:

- (a) Aerosol duster.—“Aerosol duster” means a product used to clean electronics and other items by means of an aerosol sprayed from a pressurized container;³¹

²² See, e.g., Kaitlin Sullivan, *A Chilling Risk of Recreational Nitrous Oxide Use: Frostbite*, NBCNEWS.COM (July 2, 2025, 4:10 PM), <https://www.nbcnews.com/health/health-news/chilling-risk-recreational-nitrous-oxide-use-frostbite-rcna216556>.

²³ NAT’L INST. ON DRUG ABUSE, *supra* note 2.

²⁴ *Id.*

²⁵ U.S. DEP’T OF HEALTH AND HUM. SERVS., SUBSTANCE ABUSE & MENTAL HEALTH SERVS. ADMIN., *supra* note 7.

²⁶ “Rush” is a slang term for amyl nitrite.

²⁷ U.S. DEP’T OF HEALTH AND HUM. SERVS., SUBSTANCE ABUSE & MENTAL HEALTH SERVS. ADMIN., *supra* note 7.

²⁸ *Id.*

²⁹ NAT’L INST. ON DRUG ABUSE, *supra* note 2.

³⁰ Pat Aussem, *Huffing & Dusting: Signs of Inhalant Misuse Parents Should Know*, PARTNERSHIP TO END ADDICTION (July 2025), [Huffing & Dusting: Signs of Inhalant Misuse Parents Should Know - Partnership to End Addiction](https://partnershiptoenaddiction.org/huffing-dusting-signs-of-inhalant-misuse-parents-should-know). See also Angel Saunders, *Teen Dies after Trying Social Media Trend “Dusting,” Parents Say: “We Don’t Have Children to Bury Them,”* PEOPLE.COM (June 7, 2025, 1:19 AM), <https://people.com/teen-dies-dusting-social-media-trend-11750050> (19-year old girl died after participating in a “viral trend” by inhaling an aerosol duster).

³¹ OR. REV. STAT. ANN. § 475.376 (West 2025).

- (b) Assessment.—“Assessment” means an in-depth clinical interview with a licensed healthcare professional used to determine if an individual is in need of substance use disorder treatment, education, or a combination of the two;³²
- (c) Drug.—“Drug” means any of the following:
- (1) Any substance recognized as a drug, medicine or a medicinal chemical in the official United States Pharmacopoeia, official National Formulary, official Homeopathic Pharmacopoeia, or official Veterinary Medicine Compendium, or other official drug compendium or supplements thereto;
 - (2) Any substance intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or other animals;
 - (3) Any chemical substance, other than food, intended to affect the structure or any function of the body of humans or other animals, including inhalants; or
 - (4) Any substance intended for use as a component of any items specified in paragraphs (1), (2), or (3) of this subsection, but does not include medical devices or their components, parts, or accessories;³³
- (d) Evidence-based substance abuse awareness program.—“Evidence-based substance abuse awareness program” means a program, practice, or strategy that has been proven to effectively prevent substance abuse among students, as determined by evidence-based evaluations;³⁴
- (e) Glue or adhesive.—“Glue or adhesive” means any glue, adhesive, or contact or rubber cement including the type commonly used in crafting and the building of model airplanes, model boats, model automobiles, model trains, and similar models, or which is sold as part of a kit for the assembly or creation of hobby craft items using components such as beads, tiles, glass, ceramics, clay, or other craft-related components and which contains a volatile solvent;³⁵
- (f) Inhalant or inhalants.—“Inhalant” or “inhalants” means a substance or substances containing or consisting of a vapor, a gas, or a volatile solvent including, but not limited to, nitrous oxide, any glue or adhesive, paint, or other product that may cause a condition

³² UTAH CODE ANN. § 41-6a-501 (West 2025).

³³ WASH. REV. CODE ANN. § 69.04.009 (West 2024).

³⁴ TEX. EDUC. CODE ANN. § 28.002 (West 2025).

³⁵ CAL. PENAL CODE § 380 (West 2026).

of inebriation, intoxication, elation, excitement, exhilaration, euphoria, stupefaction, or the dulling of the brain or nervous system, or which in any manner changes, distorts, or disturbs the auditory, visual, or mental processes of an individual;³⁶

(g) Inhalant paraphernalia.—“Inhalant paraphernalia” means equipment or materials of any kind that are intended for use in inhaling, ingesting, or otherwise introducing into the human body an inhalant and includes, but is not limited to, a tube, balloon, bag, fabric, bottle, or other container or device used, designed, or intended to facilitate use of an inhalant;³⁷

(h) Inhalant use disorder.—“Inhalant use disorder” means a problematic pattern of use of an inhalant leading to clinically significant impairment or distress in accordance with the definition in the Diagnostic and Statistical Manual of Disorders, fifth edition (DSM-5), of the American Psychiatric Association, or any subsequent editions;³⁸

(i) Minor.—“Minor” means an individual who is under [twenty-one (21)] years of age;³⁹

(j) Nitrous oxide.—“Nitrous oxide” means:

(1) Dinitrogen monoxide (N₂O), a colorless gas or liquid that is also referred to as “laughing gas”; and

(2) Any substance or mixture containing nitrous oxide;⁴⁰

(k) Online marketplace.—“Online marketplace” means a consumer-directed electronically based or accessed platform that includes features that allow for, facilitate, or enable third party sellers to engage in the sale, purchase, payment, storage, shipping, or delivery of a consumer product in [state];⁴¹

(l) Online retailer.—“Online retailer” means a business that sells its own products or services via a digital storefront directly to consumers in or into this state over the internet and is usually an extension of the retailer’s physical presence;⁴²

³⁶ KY. REV. STAT. ANN. § 217.900 (West 2025).

³⁷ TEX. HEALTH & SAFETY CODE ANN. § 485.001 (West 2025).

³⁸ Adapted from AMERICAN PSYCHIATRIC ASSOCIATION, DIAGNOSTIC AND STATISTICAL MANUAL OF MENTAL DISORDERS (5th ed., Am. Psychiatric Publ’n 2013).

³⁹ States should insert the age used in each particular jurisdiction to indicate that a person is not legally considered an adult.

⁴⁰ CAL. PENAL CODE § 381c (West 2026) and TENN. CODE ANN. § 39-17-2002 (West 2026).

⁴¹ 15 U.S.C. § 45f (2026).

⁴² Milos Novkovic, *Online Retail: The Easy-to-Understand Explanation*, PRICE2SPY.COM (Aug. 5, 2025), <https://www.price2spy.com/blog/online-retail-explanation/>.

- (m) Person.—“Person” means any individual, retailer, corporation, partnership, association, cooperative, limited liability company, trust, joint venture, or any other legal, commercial, or informal entity or group, including an online marketplace, online retailer, or a manufacturer or distributor of inhalants or products containing an inhalant;⁴³
- (n) Retailer.—“Retailer” means an individual or entity that sells and maintains inhalants or products containing inhalants or that advertises, represents or holds itself out as selling or maintaining inhalants or products containing inhalants at retail to the general public and, unless specifically stated otherwise, includes online retailers and online marketplaces that sell products in or into this state;
- (o) Screening.—“Screening” means a preliminary evaluation of an individual used to determine if an individual is in need of an assessment or education;⁴⁴
- (p) Substance misuse or abuse.—“Substance misuse or abuse” means the use or abuse of an inhalant for illicit purposes that does not rise to the level of inhalant use disorder;
- (q) Substance use disorder.—“Substance use disorder” means the recurrent use of alcohol, drugs, and/or inhalants that causes clinically significant impairment, including health or medical problems, and an inability to meet major responsibilities at work, school, or home in accordance with the definition in the Diagnostic and Statistical Manual of Disorders, fifth edition (DSM-5), of the American Psychiatric Association, or any subsequent editions;⁴⁵
- (r) Vapor, gas, or volatile solvent.—“Vapor, gas, or volatile solvent” includes, but is not limited to, the following substances or products containing one or more of such substances:
- (1) 1,1-difluoroethane;
 - (2) Acetates, including butyl, ethyl, isopropyl, methyl, methyl amyl, 2-methoxyethyl, or propyl;
 - (3) Acetone;
 - (4) Alcohols, including amyl, butyl, ethyl, isobutyl, isopropyl, methyl, methyl amyl,

⁴³ VA. CODE ANN. § 1-230 (West 2025).

⁴⁴ UTAH CODE ANN. § 41-6a-501 (West 2025).

⁴⁵ Adapted from *Co-occurring Disorders and Other Health Conditions*, SUBSTANCE ABUSE & MENTAL HEALTH SERVS. ADMIN., U.S. DEP’T OF HEALTH & HUM. SERVS. (March 29, 2024), <https://www.samhsa.gov/find-help/disorders>.

- or propyl;
- (5) Amyl chloride (iso- and tertiary);
 - (6) Benzene;
 - (7) Butane and isobutane;
 - (8) Butyl ether;
 - (9) Carbon disulfide;
 - (10) Carbon tetrachloride;
 - (11) Chloroform;
 - (12) Cyclohexane;
 - (13) Cyclohexanone;
 - (14) Diethyl carbonate;
 - (15) Diethylene oxide (1,4-dioxane);
 - (16) Dipropyl ketone (4-heptanone);
 - (17) Diethyl ether;
 - (18) Ethyl butyrate;
 - (19) Ethylene glycol
 - (20) Ethylene glycol monoethyl ether (2-ethoxyethanol or Cellosolve™)
 - (21) Freons and other chlorofluorocarbon and hydrochlorofluorocarbon refrigerants;
 - (22) Hexane;
 - (23) Isopropyl ether;
 - (24) Methyl ethyl ketone (butanone);
 - (25) Methyl isobutyl ketone (hexone);
 - (26) Naphtha;
 - (27) Nitrites, including amyl, butyl, isobutyl, and isopropyl;
 - (28) Perchloroethylene (tetrachloroethylene);
 - (29) Propane;
 - (30) Toluene;
 - (31) Turpentine and related terpene hydrocarbons
 - (32) Trichloroethane (methyl chloroform);
 - (33) Trichloroethylene;
 - (34) Xylene;

- (35) Any solvent, material, substance, chemical, or combinations thereof added to the list of known inhalants with potential for misuse or abuse pursuant to Section VIII; and
- (36) Any other solvent, material, substance, chemical, or combination thereof having the property of releasing vapor that cause inebriation, intoxication, elation, excitement, exhilaration, euphoria, stupefaction, or the dulling of the senses or nervous system, or that in any manner changes, distorts, or disturbs the audio, visual, or mental processes of an individual;⁴⁶
- (s) Whipped cream charger.—“Whipped cream charger” means a cylinder or cartridge filled with pressurized nitrous oxide that is intended for use as a whipping agent in a whipped cream dispenser;⁴⁷
- (t) Whipped cream dispenser.—“Whipped cream dispenser” means a reusable handheld tool that uses pressurized nitrous oxide, typically from a whipped cream charger, to turn heavy cream into fresh whipped cream. “Whipped cream dispenser” does not include canned whipped cream found in the refrigerated section of stores selling food products, including grocery stores and convenience stores;
- (u) Vape shop.—“Vape shop,” also known as a smoke shop, means any premises, including any online retail site or online marketplace, dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of electronic nicotine delivery systems or electronic non-nicotine delivery systems, nicotine, nicotine containers, vape products, including intoxicating hemp products and cannabis, or nitrous oxide;⁴⁸ and
- (v) Vape shop retailer.—“Vape shop retailer” means any person, partnership, firm, corporation, or association engaged in the business of making sales at retail, including online, of, electronic nicotine delivery systems or electronic non-nicotine delivery systems, nicotine, nicotine containers, vape products, or nitrous oxide within this state.⁴⁹

Commentary

Many of the terms defined in this section may already be defined under state law, and

⁴⁶ COLO. REV. STAT. ANN. § 18-18-412 (West 2026); Ga. Code Ann. § 16-13-90 (West 2025); La. Stat. Ann. § 14:93.1 (2025)

⁴⁷ N.Y. GEN. BUS. LAW § 834 (McKinney 2026).

⁴⁸ TENN. CODE ANN. § 39-17-2003 (West 2026).

⁴⁹ *Id.*

states are free to use those definitions in lieu of the definitions provided in this section. However, some of the definitions in this section may have been revised to better fit the needs and circumstances of this Act, and changes to such definitions may impact the effectiveness of the Act.

The definition of “minor” includes a suggestion of 21 as the age at which an individual is no longer a minor as several working group members expressed a preference for that figure due to the widespread misuse of inhalants among teenagers and young adults.

The definition of “vapor, gas, or volatile solvent” is not exhaustive, and states should include any and all substances, if any, that are currently regulated as inhalants in the state that are not already included in this definition. Additionally, as new substances are added pursuant to Section VIII, this definition should be amended to include those additional substances.

SECTION IV. SALE OF INHALANTS TO MINORS.

(a) In general.—Unless an exception in subsection (h) applies, no person shall knowingly sell, furnish, give, deliver, transfer, ship, or offer to sell, furnish, give, deliver, transfer, or ship to a minor:

- (1) Any device, canister, tank, or receptacle, including a whipped cream charger, either exclusively containing nitrous oxide or containing a chemical compound mixed with nitrous oxide. This does not include canned whipped cream found in the refrigerated section of stores that sell food products;⁵⁰
- (2) A whipped cream dispenser that uses whipped cream chargers or nitrous oxide cartridges or canisters, which does not include canned whipped cream found in the refrigerated section of stores that sell food products;
- (3) Nitrous oxide;
- (4) Glue or adhesive;
- (5) Paint thinner or paint stripping containing or comprised of any vapor, gas, or volatile solvent;
- (6) An aerosol duster that contains 1,1-difluoroethane;⁵¹
- (7) Butane or any product containing butane in any form, including, but not limited to, butane gas and butane lighters; or
- (8) Propane or any product containing propane, including, but not limited to, propane

⁵⁰ ARIZ. REV. STAT. ANN. § 13-3403.01 (2025); CAL. PENAL CODE § 381c (West 2026); CONN. GEN. STAT. ANN. § 53-345a (West 2025).

⁵¹ OR. REV. STAT. ANN. § 475.376 (West 2025).

gas and spray paint.⁵²

(b) Proof of age requirement.—

- (1) Each retailer, or employee of a retailer, that sells, gives, delivers, or transfers nitrous oxide or a vapor, gas, or volatile solvent, a product containing nitrous oxide or a vapor, gas, or volatile solvent, or a whipped cream dispenser as listed in subsection (a) shall require an individual who is purchasing, attempting to purchase, or receiving the nitrous oxide or vapor, gas, or volatile solvent, product containing nitrous oxide or a vapor, gas, or volatile solvent, or whipped cream dispenser to provide government-issued photo identification proving that he or she is not a minor.⁵³
- (2) Prior to completing any online sale of nitrous oxide or a vapor, gas, or volatile solvent, or product containing nitrous oxide or a vapor, gas, or volatile solvent, the online retailer or third-party seller on an online marketplace shall utilize a commercially reasonable age verification process designed to verify that the purchaser is not a minor. Acceptable methods of age verification may include one or more of the following:
 - (A) Verification through a government-issued photo identification uploaded to the site;
 - (B) Use of a third-party commercial age verification service; and
 - (C) Any other method reasonably calculated to confirm that the purchaser is at least [21] years of age.
- (3) An online retailer or third-party seller on an online marketplace shall not be liable for a violation of paragraph (2) if the online retailer or third-party seller demonstrates that the online retailer or third-party seller implemented and maintained reasonable age verification procedures in compliance with this paragraph.
- (4) If the individual fails to provide such proof of age, the retailer or employee shall not sell such product to the individual.

(c) Violations.—

⁵² 9 GUAM CODE ANN. § 67.401.2.1 (2025).

⁵³ CONN. GEN. STAT. ANN. § 53-345a (West 2025).

- (1) A person who knowingly sells, furnishes, gives, delivers, transfers, or ships nitrous oxide or a vapor, gas, or volatile solvent or product containing nitrous oxide or a vapor, gas, or volatile solvent listed in subsection (a) to a minor, including by failing to verify a purchaser's age, is guilty of a [misdemeanor] punishable by [insert state misdemeanor penalty] or a fine of [\$] or both.⁵⁴
 - (2) A minor who misrepresents his or her age to any person with the intent to induce the person to sell, furnish, give, deliver, transfer, or ship nitrous oxide or a vapor, gas, or volatile solvent or product containing nitrous oxide or a vapor, gas, or volatile solvent listed in subsection (a) contrary to the provisions of this section is guilty of a [misdemeanor] punishable by [insert state misdemeanor penalty] or a fine of [\$] or both.⁵⁵
 - (3) A minor who solicits another person to purchase, sell, give, deliver, transfer, or ship nitrous oxide or a vapor, gas, or volatile solvent or product containing nitrous oxide or a vapor, gas, or volatile solvent listed in subsection (a) contrary to law is guilty of a [misdemeanor] punishable by [insert state misdemeanor penalty] or a fine of [\$] or both.⁵⁶
 - (4) A person who knowingly influences the selling, furnishing, giving, dispensing, distribution, or shipment of nitrous oxide or a vapor, gas, or volatile solvent or product containing nitrous oxide or a vapor, gas, or volatile solvent listed in subsection (a) to a minor by misrepresenting the age of the minor or who orders, requests, receives, or procures nitrous oxide or a vapor, gas, or volatile solvent or product containing nitrous oxide or a vapor, gas, or volatile solvent listed in subsection (a) from an operator or employee of a business establishment, online marketplace, or online retailer with the intent of selling, giving, dispensing, distributing, or shipping such substance to a minor is guilty of a [misdemeanor] punishable by [insert state misdemeanor penalty] or a fine of [\$] or both.⁵⁷
- (d) Suspension of business license.—In a criminal proceeding for a violation of subsections (a) and/or (b) of this section, the court shall order the suspension of the business license

⁵⁴ ARIZ. REV. STAT. ANN. § 13-3403.02 (2025).

⁵⁵ *Id.*

⁵⁶ *Id.*

⁵⁷ *Id.*

or other authorization to sell products at retail in [state], for a period of [one (1) year], of a person who knowingly violates subsections (a) and/or (b) after having been previously convicted of a violation unless the business owner can demonstrate a good faith attempt to comply with this section.⁵⁸

- (e) Required signage.—Every person who sells an inhalant or a product containing an inhalant listed in subsection (a) shall, at the point of sale of the product or within close proximity to the shelves or other areas where the products are displayed for sale, post a sign that states as follows:

Warning: These products contain substances that can release harmful vapors or gases. Breathing or inhaling these products can cause serious harm or death. It is unlawful to use these products for any purpose other than as intended. A violation is a [misdemeanor] and may result in a fine, imprisonment, or both.

- (1) Signs shall be furnished by the manufacturers or distributors of products containing nitrous oxide, vapors, gases, or volatile solvents in sufficient quantity with the shipments of such products to allow posting at all points of sale and within close proximity to the shelves or other area where the products are displayed for consumer purchase.⁵⁹

- (2) Failure to post the signage as required by this subsection is a civil infraction punishable by a civil penalty in the amount of [\$] for a first offense and a civil penalty in an amount not less than [\$] nor more than [\$] for the second and each subsequent offense.

- (f) Online warning requirement.—An online retailer or online marketplace offering a substance listed in subsection (a) for purchase in or into [state] shall clearly and conspicuously display a warning on each webpage, advertisement, or electronic listing through which the product may be purchased which states as follows:

Warning: This product contains a substance that can release harmful vapors or gases. Inhaling or swallowing these substances may cause serious harm or death. It is unlawful to use these products for any purpose other than as

⁵⁸ CAL. PENAL CODE § 380 (West 2026).

⁵⁹ CAL. HEALTH & SAFETY CODE § 120870 (West 2026).

intended. A violation is a [misdemeanor] and may result in a fine, imprisonment, or both.

- (1) The warning required by this subsection shall appear immediately adjacent to the product description or purchase button, be displayed in a font size no smaller than the primary product description text and shall remain visible without requiring the consumer to scroll beyond the purchase interface.
 - (2) For purposes of an online marketplace, the third-party seller shall be responsible for posting the warning required by this subsection.
 - (3) Failure to post the warning as required by this subsection is a civil infraction punishable by a civil penalty in the amount of [\$] for a first offense and a civil penalty in an amount not less than [\$] nor more than [\$] for the second and each subsequent offense. Every non-compliant product listing constitutes a separate violation of this subsection.
 - (4) A court may issue injunctive relief to enforce this subsection.
- (g) Additional requirements for online purchases.—An online retailer or third-party seller on an online marketplace shall only ship orders in or into this state for substances listed in subsection (a) or products containing a substance listed in subsection (a) restricted delivery, adult signature required, or other method that ensures the recipient must show a government-issued photo identification upon delivery.
- (1) A violation of this subsection is a civil infraction punishable by a civil penalty in the amount of [\$] for a first offense and a civil penalty in an amount not less than [\$] nor more than [\$] for the second and each subsequent offense. Every instance of non-compliance constitutes a separate violation of this subsection.
 - (A) An online retailer or third party-seller on an online marketplace shall not be liable for a violation of this subsection if it demonstrates that the violation occurred despite good-faith attempts to comply.
- (h) Exceptions.—The prohibitions contained in subsection (a) of this section do not apply in the following circumstances:
- (1) The minor is delivering or accepting delivery of any of the items listed in

- subsection (a) and is operating in his or her capacity as an employee;⁶⁰
- (2) The use of products containing nitrous oxide or a vapor, gas, or volatile substance in a course within an educational institution and under the supervision of the minor's teacher or other authorized adult;
- (3) Nitrous oxide being dispensed or administered by an authorized healthcare professional, or at the direction or under the supervision of an authorized healthcare professional, in the course of a legitimate medical, dental, or veterinary procedure;⁶¹
- (4) Nitrous oxide being dispensed by a pharmacist, pharmacist intern, or pharmacy who dispenses the device in the course of his or her duties;⁶²
- (5) Nitrous oxide that has been denatured or otherwise rendered unfit for human consumption;⁶³
- (6) Nitrous oxide, butane, or propane contained in food products for use as a propellant subject to the requirements of this Act;⁶⁴
- (7) Nitrous oxide used as a semiconductor oxidizer; an analytical chemistry oxidizer in atomic absorption spectrometry; in the production of chemicals used to inflate airbags; as an oxidizer for chemical production, combustion, or jet propulsion; or as a motor vehicle additive when mixed with sulfur dioxide;⁶⁵
- (8) Nitrous oxide sold or distributed by a wholesaler licensed by the [board of pharmacy]; a manufacturer classified under Code Number 325120 or 424690 of the North American Industry Classification System;⁶⁶ or a person engaged in the business of selling or distributing catering supplies only or food processing equipment only, or selling or distributing compressed gases for industrial or medical use who sells or otherwise distributes the device in the course of that business;⁶⁷

⁶⁰ ARIZ. REV. STAT. ANN. § 13-3403.01 (2025); CONN. GEN. STAT. ANN. § 53-345a (West 2025).

⁶¹ CAL. PENAL CODE § 381c (West 2026).

⁶² MICH. COMP. LAWS ANN. § 752.272a (West 2026).

⁶³ *Id.*

⁶⁴ CAL. PENAL CODE § 381e (West 2026).

⁶⁵ FLA. STAT. ANN. § 877.111 (West 2025).

⁶⁶ CAL. PENAL CODE § 381e (West 2026).

⁶⁷ MICH. COMP. LAWS ANN. § 752.272a (West 2026).

- (9) The sale of gasoline or other motor vehicle fuels to a minor;⁶⁸
- (10) The product containing a vapor, gas, or volatile solvent has been certified by the [department of health] to contain a substance that makes the product malodorous, or causes such product to induce sneezing or other reaction, or has been otherwise denatured to dissuade its use for an unlawful purpose;⁶⁹
- (11) The product containing a vapor, gas, or volatile solvent is glue or adhesive, and such glue or adhesive is sold, delivered, or given away simultaneously with or as part of a kit used for the construction of model airplanes, model boats, model automobiles, model trains, or other similar models, or as part of a kit for the assembly or creation of hobby craft items using components such as beads, tiles, glass, ceramics, clay, or other craft-related components;⁷⁰
- (12) The transfer of glue or adhesive from a parent to his or her child, from a guardian to his or her ward, or from a teacher to his or her students;⁷¹ or
- (13) The transfer of glue or adhesive from one minor to another for model construction or other lawful purpose.⁷²

Commentary

This section prohibits the sale of certain products, vapors, gases, and volatile solvents to minors. These include prohibitions on the sale of nitrous oxide; glues or adhesives; aerosol dusters that include 1,1-difluoroethane as an ingredient; butane, butane lighters, and other products containing butane; and products containing propane which includes spray paint. These products are included because they are among the most commonly abused and misused products⁷³ and, unlike other products such as hair spray, cosmetics, and deodorants, are more easily restricted to purchase by adults. One of the difficulties associated with regulating inhalants is that these vapors, gases, and volatile solvents are included in common household items with legitimate, legal uses. Therefore, subsection (h) lists certain exceptions to the restrictions set forth in this section.

It is important to note that, although canned whipped cream is used as an inhalant by individuals, this Model makes a distinction between single-use (*i.e.*, once the product has been completely consumed, it cannot be refilled and is discarded) canisters of whipped cream such as Reddi Whip, found in the refrigerated section of a grocery store, and whipped cream dispensers,

⁶⁸ CAL. PENAL CODE § 380 (West 2026).

⁶⁹ *Id.*; MASS. GEN. LAWS ANN. ch. 270, § 19 (West 2026).

⁷⁰ CAL. PENAL CODE § 380 (West 2026).

⁷¹ D.C. Mun. Regs. tit. 22-B, § 119 (2025).

⁷² GA. CODE ANN. § 16-13-93 (West 2025).

⁷³ See, e.g., *Substance Use – Inhalants*, MEDLINEPLUS, NAT'L INST. OF HEALTH, NAT'L LIBR. OF MED. (reviewed May 4, 2024), <https://medlineplus.gov/ency/patientinstructions/000794.htm>.

as defined in this Act, which are used in commercial food applications such as restaurants and bakeries. Whipped cream dispensers are reusable and require a separate whipped cream charger filled with pressurized nitrous oxide to operate properly, whereas single-use canned whipped creams are seamless, and the nitrous oxide cannot be separated from the product. Because only trace amounts of nitrous oxide remain once all of the cream has been emptied from a single-use can of whipped cream, the risks associated with misusing these products are presumed to be less than those associated with misusing whipped cream chargers. Additionally, enforcing an age limitation on the purchase of single-use cans of whipped cream would be prohibitive, and the costs of doing so would outweigh any potential benefits. Therefore, the restrictions in subsection (a) paragraphs (1) and (2) of this section only apply to reusable whipped cream dispensers and whipped cream chargers, not to the single-use, canned whipped cream found in grocery stores.

Subsection (b) provides that retailers must require purchasers to show government-issued photo identification prior to purchasing any of the restricted substances in subsection (a). Failure to do so can result in a criminal conviction and associated penalties. A subsequent failure to do so, as set forth in subsection (d), will result in suspension of the retailer's business license or other authorization to do business in the state for a recommended period of at least one year.

Subsection (c) sets forth the penalties associated with violations of this section; however, it does not contain recommended penalties for those violations in the statutory language as states have existing criminal penalties, including fines, associated with misdemeanor and felony offenses which should apply to violations of this section. In states with existing criminal provisions related to inhalants, penalties range from incarceration for five days in New York⁷⁴ to four years in Michigan for second and subsequent offenses⁷⁵ and fines that range from \$25 in Louisiana⁷⁶ to \$10,000 in Georgia for second and subsequent offenses related to selling nitrous oxide to minors for a non-medical purpose.⁷⁷

Where the language imposes a criminal or civil penalty for a violation, the drafters recommend that fines be sufficient to deter the behavior without being onerous, *e.g.*, \$500 for a first offense and a maximum of \$1,500 for second and subsequent offenses for individuals and \$1,000 for a first offense and a maximum of \$2,500 for second and subsequent offenses for corporations, retailers, and other entities. The distinction between individuals and retailers is due to the presumed ability to pay.

Working group members also recommend that the fines imposed against online retailers be increased as fines that might be sufficient to deter small businesses or brick and mortar stores may be written off as simply the cost of doing business by larger online retailers. For example, a working group member suggests that fines for violating the age verification requirements for online retailers and online marketplaces start at \$1,000 for a first violation and increase to \$5,000 for a second violation within a 12-month period and \$10,000 for each subsequent violation within a 24-month period.

⁷⁴ N.Y. PUB. HEALTH LAW § 3380 (McKinney 2025).

⁷⁵ MICH. COMP. LAWS ANN. § 752.272a (West 2025).

⁷⁶ LA. STAT. ANN. § 14:93.1 (2025).

⁷⁷ GA. CODE ANN. § 16-13-79 (West 2025).

Subsection (e) requires every person, which, as defined in Section III, includes retailers, that sells products containing the substances listed in subsection (a) to post signage containing a warning regarding the dangers of misusing the products within close proximity to the product containing the substance. Additionally, subsection (f) requires online retailers and third-party sellers on online marketplaces that sell products in or into the state to include a warning on listings for the sale of nitrous oxide or vapors, gases, or volatile solvents and any products containing nitrous oxide or a vapor, gas, or volatile solvent. These signs and warnings are intended to notify buyers of the dangers associated with inhalants and that misusing such products is illegal.

Subsection (g) requires that online retailers and third-party sellers on online marketplaces ship products in such a way that the recipient must show a government-issued photo identification before delivery can be completed. A working group member suggested that online marketplaces be required to ensure that third-party sellers offering nitrous oxide products certify compliance with the delivery requirements, that they maintain reasonable procedures to identify and remove listings that violate the requirement, and that they provide a mechanism for reporting unlawful listings or sales. Rather than include those requirements in this Model Act, the drafters refer legislators to the Legislative Analysis and Public Policy Association's upcoming model law related to online drug sales,⁷⁸ primarily via social media applications, but which can be adapted to fit the circumstances of this Act.

Finally, subsection (h) includes a number of exceptions to the restrictions in this section, including for the sale of gasoline to a minor and for products who have been modified to make them unlikely to be misused or abused, including through the addition of substances like oil of mustard or a sternutator that make the user sneeze.

SECTION V. ADDITIONAL REQUIREMENTS FOR THE SALE OF INHALANTS.

(a) Limits on the sale of aerosol dusters that contain 1,1-difluoroethane.—

- (1) In addition to the age restrictions set forth in Section IV, no person may sell or deliver more than three (3) aerosol dusters that contain 1,1-difluoroethane to the same individual purchaser in a single day.⁷⁹
- (2) No individual may purchase more than three (3) aerosol dusters that contain 1,1-difluoroethane from any person in a single day.
- (3) No person may purchase aerosol dusters that contain 1,1-difluoroethane on behalf of another individual in order to circumvent the limitations of this section.
- (4) A retailer shall maintain its inventory of aerosol dusters that contain 1,1-difluoroethane in a location that is not directly accessible to the public, which may

⁷⁸ [Model Laws | LAPP](#)

⁷⁹ OR. REV. STAT. ANN. § 475.376 (West 2025).

include behind the counter or in a locked display cabinet that is only accessible to the retailer or an employee of the retailer.

- (5) A retailer shall post signage at the point of sale that notifies customers of the quantity limits on the sale and purchase of aerosol dusters that contain 1,1-difluoroethane.
 - (6) This subsection does not apply if the sale of aerosol dusters is being made to a manufacturer, distributor, retailer, office wholesaler, or other business entity.⁸⁰
 - (7) A violation of paragraph (1) of this subsection is a misdemeanor punishable by [insert state misdemeanor penalty] or a fine of [\$] or both.⁸¹
 - (8) A violation of paragraphs (2) or (3) of this subsection is a misdemeanor punishable by [insert state misdemeanor penalty] or a fine of [\$] or both.
 - (9) A violation of paragraph (5) of this subsection is a civil infraction punishable by a civil penalty of [\$] for a first offense and a civil penalty of not less than [\$] nor more than [\$] for the second and each subsequent offense.
- (b) Sale of nitrous oxide and products containing nitrous oxide.—No person, including, but not limited to, a vape shop retailer, or a distributor, wholesaler, or importer of vape products, or an online retailer or online marketplace, may sell or offer for sale nitrous oxide or products containing nitrous oxide unless such person falls within an exception.⁸²
- (1) This subsection does not apply to:
 - (A) Retail and wholesale kitchen or restaurant supply companies for legitimate culinary applications;
 - (B) Medical supply companies for legitimate professional medical use, including dental and veterinary use; or
 - (C) Retail establishments for legitimate industrial, manufacturing, or automotive applications.
 - (2) A violation is a civil infraction subject to a civil penalty of up to [\$] for each individual product offered for sale in violation of this section.⁸³
 - (3) A second violation within [one (1) year] is subject to a civil penalty of at least [\$]

⁸⁰ *Id.*

⁸¹ MINN. STAT. ANN. § 325F.078 (West 2026); OR. REV. STAT. ANN. § 475.376 (West 2025).

⁸² City of Northampton Board of Health regulation (2025); TENN. CODE ANN. § 39-17-2003 (West 2026).

⁸³ TENN. CODE ANN. § 39-17-2003 (West 2026).

but not more than [\$] per product and the suspension of the license of the vape shop retailer, or distributor, wholesaler, or importer of vape products, including any license issued by a city, county, or state licensing authority, for [thirty (30) calendar days]; and

- (4) A third violation within [one (1) year] is subject to a civil penalty of at least [\$] and not more than [\$] per product, and the revocation of the license of the vape shop retailer, or distributor, wholesaler, or importer of vape products.⁸⁴
 - (5) There is a rebuttable presumption that a retailer, including a vape shop retailer, or a distributor, wholesaler, or importer of vape products, is not engaged in the sale of nitrous oxide or products containing nitrous oxide for legitimate culinary, medical, industrial, manufacturing, or automotive purposes if the sale of products unrelated to a legitimate culinary, medical, industrial, manufacturing, or automotive purpose totals more than [50] percent of the retailer's sales for the past [twelve (12)] months.
 - (6) In an action to enforce this subsection, the state is entitled to recover costs, including the costs of investigation, expert witness fees, and reasonable attorney fees.⁸⁵
 - (7) A person, including, but not limited to, a vape shop retailer, or a distributor, wholesaler, or importer of vape products, who violates the provisions of this subsection shall be responsible for all reasonable costs incurred in the investigation, inspection, seizure, storage, transportation, handling, abatement, destruction, or disposal of nitrous oxide products, containers, devices, or related materials involved in the violation, including costs associated with specialized handling or disposal of pressurized containers.
- (c) Nitrous oxide advertising prohibitions and packaging requirements.—A person shall not advertise, market, or offer for sale in this state any nitrous oxide product by using, in the labeling or design of the product, its packaging, or in its advertising or marketing materials, trade dress, trademarks, branding, or other imagery that:
- (1) Imitates or replicates those of food brands or other related products that are

⁸⁴ *Id.*

⁸⁵ *Id.*

- marketed to or commonly associated with minors or young adults;
- (2) Depicts or signifies characters, designs, or symbols that are known to a reasonable person to appeal primarily to or are commonly associated with minors or young adults including, but not limited to, bright colors, superheroes, cartoons or cartoon characters, including anime characters, comic book characters, video game characters, television show characters, movie characters, mythical creatures, or that otherwise incorporates related imagery or scenery;⁸⁶ or
- (3) Uses terminology on the packaging that appeals primarily to minors and young adults.
- (d) Nitrous oxide record-keeping requirements.—Every person who dispenses or distributes nitrous oxide shall record each transaction involving the dispensing or distribution in a written or electronic document.
- (1) The document shall inform the purchaser of all of the following:
- (A) That inhalation of nitrous oxide outside of a clinical setting may have dangerous health effects;
- (B) That it is a violation of state law to possess nitrous oxide or any substance containing nitrous oxide with the intent to inhale or otherwise use it for an unlawful purpose; and
- (C) That it is a violation of state law to knowingly distribute or dispense nitrous oxide or any substance containing nitrous oxide to a person who intends to inhale or otherwise use it for an unlawful purpose.⁸⁷
- (2) The purchaser shall present a valid government-issued photo identification, sign and date the document indicating that he or she has read the warnings, and provide a complete residential or business address; a valid permit number, if applicable; and indicate the amount purchased.⁸⁸
- (3) The person dispensing or distributing the nitrous oxide shall sign and date the document and retain the document at the person's business address for one (1) year from the date of the transaction.⁸⁹

⁸⁶ Adapted from ARK. CODE ANN. § 20-56-409 (West 2026).

⁸⁷ CAL. PENAL CODE § 381e (West 2026).

⁸⁸ N.J. STAT. ANN. § 24:6G-3 (West 2025).

⁸⁹ CAL. PENAL CODE § 381e (West 2026).

- (4) Executed documents shall be made available for inspection and copying during normal business hours by officers or employees of the [board of pharmacy], [agency responsible for business licensure], or other law enforcement agencies of this state or the United States.⁹⁰
- (5) Information obtained from a person to whom nitrous oxide was dispensed or distributed pursuant to this section shall be confidential and shall be used solely for the purposes provided in this subsection and, except as otherwise provided in this Act, a person who dispenses or distributes nitrous oxide shall not use, review, or disclose any information obtained pursuant to this subsection.⁹¹
- (6) Failure to maintain the records as required by this subsection is a civil infraction punishable by a civil penalty in the amount of [\$] for a first offense and a civil penalty in an amount not less than [\$] nor more than [\$] for the second and each subsequent offense.
- (7) In a proceeding for failure to keep and make available for inspection and copying the records required by this subsection, the court shall order the suspension of the business license or other authorization to conduct business in this state, for a period of [one (1) year], of a person who knowingly violates this subsection after having been previously found civilly liable for failure to maintain such records unless the person can demonstrate a good faith attempt to comply with this subsection.⁹²
- (e) Exceptions.—The record-keeping requirements contained in subsection (b) do not apply to:
- (1) Any person who administers nitrous oxide for the purpose of providing medical, dental, or veterinary care, if administered by an authorized healthcare professional or at the direction or under the supervision of an authorized healthcare professional;⁹³
- (2) The sale of nitrous oxide contained in food products for use as a propellant;⁹⁴ or

⁹⁰ *Id.*

⁹¹ *Id.*

⁹² CAL. PENAL CODE § 380 (West 2026).

⁹³ CAL. PENAL CODE § 381e (West 2026).

⁹⁴ *Id.*

- (3) The sale or distribution of nitrous oxide by a wholesaler licensed by the Board of Pharmacy or manufacturer classified under Code Number 325120 or 424690 of the North American Industry Classification System.⁹⁵

Commentary

In addition to the limitations on the sale of certain inhalants to minors included in Section IV, this section includes certain other provisions related to the sale of products containing inhalants including signage and record-keeping requirements as well as limits on the number of aerosol dusters that can be sold at one time unless an exception applies. Enforcement of the signage and record-keeping requirements will depend upon the state agency responsible for oversight of the retail establishment, if any, and local law enforcement ensuring signs are present and requesting to see the required records.

The quantity limits for aerosol dusters included in subsection (a) are intended to prevent stockpiling or hoarding of those products, particularly as individuals who misuse these products often inhale multiple cans per day.⁹⁶ Enforcing these limits may be difficult as, without a system similar to that used to track the purchase of ephedrine and pseudoephedrine products, there is no way to determine how many canisters of aerosol duster a customer has purchased in a single day. Therefore, it may be a question of enforcement “after the fact,” wherein, for example, an individual is arrested and found to be in possession of multiple cans of aerosol duster, and the evidence shows that the individual either purchased all 12 from a single retailer in a single day or from multiple retailers in a single day in violation of this section.

Although ostensibly marketed for use in culinary applications, nitrous oxide canisters, cartridges, and other devices are being sold in vape shops, sex shops, liquor stores, gas stations, and by online retailers including Wal-Mart, Amazon, and eBay.⁹⁷ With certain limited exceptions, subsection (b) prohibits any person, as defined in Section III, specifically including any vape shop, from selling nitrous oxide or products containing nitrous oxide. This provision is based almost entirely on the recent Tennessee law referenced in footnotes 85-88 and is intended to curtail the ready availability of nitrous oxide canisters, chargers, and other devices sold primarily for the purpose of getting the user high under the guise of being for culinary purposes. There are exceptions to this prohibition for legitimate purposes, including culinary, medical, manufacturing, automotive, and industrial purposes. There is also a rebuttable presumption that a retailer is not engaged in the sale of nitrous oxide or products containing nitrous oxide for a legitimate purpose if the sale of products unrelated to a legitimate culinary, medical, industrial,

⁹⁵ *Id.*

⁹⁶ See, e.g., Adam Custer, Andrew Corse, and Sondra Vazirani, *Diffluoroethane Inhalant Abuse, Skeletal Fluorosis, and Withdrawal*, 37(6) FED. PRAC. 288-289 (June 2020), <https://pmc.ncbi.nlm.nih.gov/articles/PMC7357883/> (case study of a patient presenting at the emergency department “with a 6-month history of inhaling 20 to 25 cans of [1,1-difluoroethane] per day”) and Alexandru I. Cojanu, M.D., *Inhalant Abuse: The Wolf in Sheep’s Clothing*, 13(2) AM. J. OF PSYCHIATRY, RESIDENTS’ J. (Feb. 1, 2018), <https://psychiatryonline.org/doi/10.1176/appi.ajp-rj.2018.130203> (case study of 20-year old man who “reported ‘huffing’ approximately nine cans of computer-keyboard dust cleaner daily”).

⁹⁷ *FDA Advises Consumers Not to Inhale Nitrous Oxide Products*, U.S. FOOD & DRUG ADMIN. (June 4, 2025), <https://www.fda.gov/food/alerts-advisories-safety-information/fda-advises-consumers-not-inhale-nitrous-oxide-products>.

manufacturing, or automotive purpose totals more than a certain percent of the retailer's sales for a specified period. The drafters have included a recommendation of 50 percent for the sales percentage and a 12-month time period. The drafters chose that time period in order to obtain a comprehensive look back at the sales for the retailer. The drafters also recommend that states follow Tennessee's lead with regard to the amount of the fines imposed for violations of this subsection which range from \$500 for a first offense to a maximum of \$1,500 per product for a third violation within one year.

In addition to the restrictions on sales in subsection (b), subsection (c) prohibits nitrous oxide products with packaging that appeals to minors and young adults from being advertised, marketed, or offered for sale in the state. This provision is based on an Arkansas law aimed at cannabis packaging but has been adapted for purposes of this Act. The restrictions include a prohibition on using bright colors, cartoon characters, or superheroes on packaging or using terminology that appeals to younger consumers.

Subsection (d) requires every person who dispenses or distributes certain nitrous oxide products to maintain records regarding such activities and to keep those records for one year from the date of the transaction. In addition to recording the transaction, the document must also provide certain information to the purchaser regarding the dangers associated with misuse and abuse of nitrous oxide which the purchaser must sign and date to indicate that he or she has read the warnings. Subsection (e) includes exceptions to the record-keeping requirements.

With the exception of the recommended fines mentioned above, throughout the remainder of this section, where the language imposes a criminal or civil penalty for a violation, the drafters recommend that fines be sufficient to deter the behavior without being onerous, *e.g.*, \$500 for a first offense and a maximum of \$1,500 for second and subsequent offenses for individuals and \$1,000 for a first offense and a maximum of \$2,500 for second and subsequent offenses for corporations, retailers, and other entities. The distinction between individuals and retailers is due to the presumed ability to pay.

SECTION VI. CRIMINAL PROVISIONS RELATED TO INHALANTS.

- (a) Unlawful use or possession of inhalants.—No person shall inhale, ingest, use, possess, or have under his or her control any product containing nitrous oxide or a vapor, gas, or volatile solvent or a product containing any mixture of nitrous oxide or a vapor, gas, or volatile solvent for the purpose of inducing a condition of inebriation, intoxication, elation, excitement, exhilaration, euphoria, stupefaction, or the dulling of the brain or nervous system, or to in any manner change, distort, or disturb the auditory, visual, or mental processes of the individual.⁹⁸

- (1) A violation of this subsection is a [misdemeanor] punishable by [state

⁹⁸ 720 ILL. COMP. STAT. ANN. 690/1 (West 2025).

misdemeanor penalty] or a fine of [\$] or both for a first offense and a [grade of offense] punishable by [state penalty] or a fine of [\$] or both for a second or subsequent offense.

(2) In addition to any sentence or fine imposed, for a first offense, the court shall, and for each subsequent offense, the court may:

(A) Order the individual to complete a screening;

(B) If the screening indicates it may be appropriate, order the individual to complete an assessment; and/or

(C) Order the individual to successfully complete an education program, a substance use disorder treatment program, or both such programs.⁹⁹

(3) To the extent possible, behavioral health treatment rather than criminal sanctions should be afforded to individuals who are arrested for the use of, or possession with intent to use, inhalants.¹⁰⁰

(4) This subsection does not apply to:

(A) An individual who is under the influence of nitrous oxide or any material containing nitrous oxide pursuant to an administration for the purpose of medical or dental care by an authorized healthcare professional;¹⁰¹

(B) An individual who uses or possesses nitrous oxide or a vapor, gas, or volatile solvent for lawful research, clinical, medical, dental, or veterinary purposes;¹⁰² or

(C) An individual who commits any act described in this subsection pursuant to the direction or prescription of an authorized healthcare professional.¹⁰³

(b) Sale, delivery, transfer, or possession of inhalants.—No person shall sell, give, deliver, transfer, or possess with the intent to sell, give, deliver, or transfer, or offer to sell, give, deliver, or transfer any product containing nitrous oxide or a vapor, gas, or volatile

⁹⁹ FLA. STAT. ANN. § 877.111 (West 2025); KAN. STAT. ANN. § 21-5712 (West 2025); UTAH CODE ANN. § 41-6a-501 (West 2025).

¹⁰⁰ CONN. GEN. STAT. ANN. § 21A-279 (West 2025).

¹⁰¹ CAL. PENAL CODE § 381b (West 2026).

¹⁰² OHIO REV. CODE ANN. § 2925.31 (West 2025).

¹⁰³ ARK. CODE ANN. § 5-60-116 (West 2025).

solvent when the seller, giver, deliverer, transferer, or offeror knows, or has reasonable cause to know, that the product will be used to induce a condition of inebriation, intoxication, elation, excitement, exhilaration, euphoria, stupefaction, or the dulling of the brain or nervous system, or to change, distort, or disturb the auditory, visual or mental processes of the individual.¹⁰⁴

- (1) A person who violates this subsection is guilty of a [misdemeanor] punishable by [state misdemeanor penalty] or a fine of [\$] or both or a first offense.
 - (2) A person who has previously been convicted of a violation of this subsection within the previous [year] is guilty of a [grade of offense] punishable by [state penalty] or a fine of [\$] or both.
- (c) Sale, use, or distribution of flavored nitrous oxide.—Except as otherwise provided in this Act, no person shall knowingly or intentionally apply a flavoring extract, oil, or balm to a device or container for the purpose of adding flavoring to nitrous oxide, or knowingly or intentionally sell, use, or distribute flavored nitrous oxide.
- (1) A violation is a [misdemeanor] punishable by [insert state misdemeanor penalty] or a fine of [\$] or both.¹⁰⁵
 - (2) If a person who has been issued a permit or certificate by the state sells, distributes, or uses nitrous oxide or flavored nitrous oxide in violation of this Act, the state may suspend or revoke the permit or certificate and impose sanctions on the holder equal to the cost of disposing of the nitrous oxide or flavored nitrous oxide.¹⁰⁶
 - (3) This subsection does not apply to a healthcare provider applying a flavoring extract, oil, or balm to a device or container to be used by a patient prior to sedation.
- (d) Use, possession, or purchase by minor.—A minor shall not use, possess, or purchase, or attempt to use, possess, or purchase any product containing nitrous oxide or a vapor, gas, or volatile solvent for the purpose of inducing a condition of inebriation, intoxication, elation, excitement, exhilaration, euphoria, stupefaction, or the dulling of the brain or

¹⁰⁴ Adapted from ARK. CODE ANN. § 5-60-116 (West 2025); 720 ILL. COMP. STAT. ANN. 690/2 (West 2025).

¹⁰⁵ IND. CODE ANN. § 35-46-6-3 (West 2025).

¹⁰⁶ *Id.*

nervous system, or to change, distort, or disturb the auditory, visual or mental processes of the minor.¹⁰⁷

- (1) A person who violates this subsection is guilty of a [grade of offense] punishable by [state penalty] or a fine of [\$] or both.
 - (2) If a violation of this subsection is the minor's first or second offense, the court shall, and for the third and any subsequent offenses, the court may:
 - (A) Order the minor to complete a screening;
 - (B) If the screening indicates it may be appropriate, order the minor to complete an assessment; and/or
 - (C) Order the minor to successfully complete an educational series or substance use disorder treatment as indicated by an assessment.¹⁰⁸
 - (3) To the extent possible, behavioral health treatment rather than criminal sanctions should be afforded to minors who are arrested for the use of, or possession with intent to use, inhalants.¹⁰⁹
- (e) Purchase for another.—No person shall purchase or offer to purchase for another person any material, product, or article of commerce containing nitrous oxide or a vapor, gas, or volatile solvent if such purchase or offer to purchase is made for the purpose of violating this Act.¹¹⁰
- (1) A person who violates this subsection is guilty of a [misdemeanor] punishable by [state misdemeanor penalty] or a fine of [\$] or both.
 - (2) A person who violates this subsection and the person for whom the purchase or offer to purchase was made is a minor, or was a minor at the time of the offense, is guilty of a [grade of offense] punishable by [state penalty] or a fine of [\$] or both.
- (f) Inducing another to use inhalants.—No person shall knowingly cause, invite, or induce another person to smell, inhale, ingest, or use a product containing nitrous oxide or a vapor, gas, or volatile solvent, including through social media and other online posts, with the intent to cause a condition of inebriation, intoxication, elation, excitement,

¹⁰⁷ Adapted from IDAHO CODE ANN. § 18-1502B (West 2025).

¹⁰⁸ UTAH CODE ANN. § 41-6a-501 (West 2025).

¹⁰⁹ CONN. GEN. STAT. ANN. § 21A-279 (West 2025).

¹¹⁰ DEL. CODE ANN. tit. 11, § 627 (West 2026).

exhilaration, euphoria, stupefaction, or the dulling of the brain or nervous system, or to in any manner change, distort, or disturb the auditory, visual, or mental processes of such person.¹¹¹

- (1) A violation of this subsection is a [misdemeanor] punishable by [state misdemeanor penalty] or a fine of [\$] or both.
 - (2) If a violation of this subsection results in serious bodily injury to or the death of another person, the violation is a [felony] punishable by [state felony penalty] or a fine of [\$] or both.
- (g) Criminal provisions not exclusive.—The provisions of this section are not exclusive and nothing in this section shall be construed to prevent the prosecution of an individual under any other applicable state or federal criminal law.
- (h) Rebuttable presumption.—The presence of additional flavoring in nitrous oxide or a vapor, gas, or volatile solvent or on the labeling on any part of a container of a product containing nitrous oxide or a vapor, gas, or volatile solvent referring to the product being flavored shall create a rebuttable presumption that the product is intended for an unlawful purpose.¹¹²
- (i) Inhalant paraphernalia.—
- (1) No person shall knowingly use or possess with intent to use inhalant paraphernalia to inhale, ingest, or otherwise introduce into the human body a vapor, gas, or volatile solvent.¹¹³
 - (A) A violation is a [grade of offense] punishable by a fine of [\$].
 - (2) No person shall knowingly and willfully sell, furnish, give, deliver, transfer, or ship inhalant paraphernalia to another person for the purpose of facilitating the use of such inhalant paraphernalia to inhale, ingest, or otherwise introduce into the human body a vapor, gas, or volatile solvent.
 - (A) A violation is a [grade of offense] punishable by a fine of [\$].
- (j) Nitrous oxide paraphernalia.—
- (1) No person, at the time a cartridge, canister, or tank of nitrous oxide, or a whipped

¹¹¹ VA. CODE ANN. § 18.2-264 (West 2025).

¹¹² ALA. CODE § 13A-12-360 (2026).

¹¹³ TEX. HEALTH & SAFETY CODE § 485.033 (West 2025).

cream charger is sold to another person, whether in person or online, shall sell a device, including a whipped cream dispenser, that allows the purchaser to inhale nitrous oxide directly from the cartridge, canister, tank, or charger or to hold nitrous oxide released from a cartridge, canister, tank, or charger for purposes of inhalation.¹¹⁴

(A) The sale of any such device constitutes a rebuttable presumption that the person knew or had reason to believe that the purchaser intended to abuse the nitrous oxide.¹¹⁵

(B) A violation of this subsection is a [misdemeanor] punishable by [state misdemeanor penalty] or a fine of [\$] or both.

Commentary

This section sets forth criminal provisions and penalties for various circumstances related to inhalants, including the use of, or possession with the intent to use, inhalants; sale or delivery of inhalants; use, possession with intent to use, or purchase of certain inhalants by minors; purchasing inhalants for another with knowledge that the individual intends to misuse the product; and inducing another to use an inhalant. Subsections (a) and (c) require courts to order the defendant to undergo a substance use disorder screening and/or assessment to determine if the individual would benefit from an educational or behavioral health treatment program related to inhalants. Those subsections also provide that there is a preference for treatment rather than criminal sanctions for individuals charged with use or possession of inhalants.

Finally, subsections (g) and (h) include provisions related to inhalant and nitrous oxide paraphernalia. Inhalant paraphernalia includes things like balloons, tubes, rags, and other items that can be used to concentrate or suspend inhalants. As with inhalants themselves, it is difficult to regulate the use of many of these items as they have legitimate, legal uses not associated with inhalant misuse. Therefore, subsection (g) includes the requirement that the individual knowingly uses the paraphernalia for an illegal purpose. Subsection (h) prohibits individuals from selling certain nitrous oxide paraphernalia at the same time as selling nitrous oxide cartridges, tanks, or chargers. It includes a rebuttable presumption that a person who sells a device that allows an individual to inhale nitrous oxide directly from the cartridge, tank, or charger, or to hold nitrous oxide released from the cartridge, tank, or charger for the purpose of inhalation at the same time as the person sells a nitrous oxide cartridge, tank, or charger knew or had reason to know that the purchaser intended to misuse the nitrous oxide.

Throughout this section, where the language imposes a criminal or civil penalty for a violation, the drafters recommend that fines be sufficient to deter the behavior without being onerous, *e.g.*, \$500 for a first offense and a maximum of \$1,500 for second and subsequent

¹¹⁴ OHIO REV. CODE ANN. § 2925.32 (West 2025).

¹¹⁵ *Id.*

offenses for individuals and \$1,000 for a first offense and a maximum of \$2,500 for second and subsequent offenses for corporations, retailers, and other entities. The distinction between individuals and retailers is due to the presumed ability to pay.

SECTION VII. EDUCATION, PREVENTION, AND TREATMENT.

- (a) Amendment to definitions.—Within six (6) months of the passage of this Act, the definitions of [“substance abuse,” “substance misuse,” and “substance use disorder”] in [list of statutory and regulatory reference(s) to definitions] shall be amended to include the use of inhalants and/or inhalant use disorder.
- (b) Education.—The [department of health/substance abuse services] shall:
- (1) Work with substance misuse or abuse and/or substance use disorder prevention education programs and community-based organizations to establish comprehensive inhalant misuse and abuse prevention education programs;
 - (2) Develop and coordinate media campaigns, including social media, designed to provide public education and increase public awareness to prevent inhalant use, misuse, and abuse;¹¹⁶ and
 - (3) Within six (6) months of the effective date of this Act, publish, both on its website and in downloadable form accessible from the website, educational information regarding inhalants, including the signs and symptoms of inhalant misuse and abuse. Appropriate existing materials may be used in lieu of developing new materials.¹¹⁷
- (c) Required curriculum.—Each school district that offers kindergarten through grade 12 shall offer, as a required curriculum, an enrichment curriculum that includes essential knowledge and skills that address the science, risk factors, causes, dangers, consequences, signs, symptoms, and treatment of substance misuse and abuse, including the use of illegal drugs, misuse and abuse of prescription drugs, alcohol misuse and abuse, inhaling nitrous oxide or vapors, gases, or volatile solvents, and other forms of substance misuse and abuse.¹¹⁸

¹¹⁶ *Model State Office of Drug Control Policy Act*, LEGIS. ANALYSIS & PUB. POL’Y ASS’N (Feb. 2026), [Model State Office of Drug Control Policy Act | LAPPA](#).

¹¹⁷ *Model Overdose Reversal Agents Act*, LEGIS. ANALYSIS & PUB. POL’Y ASS’N (Oct. 2024), [Model Overdose Reversal Agents Act | LAPPA](#) and CAL. PENAL CODE § 13862 (West 2026).

¹¹⁸ TEX. EDUC. CODE ANN. § 28.002 (West 2025).

- (1) The [board of education] shall compile a list of evidence-based substance abuse awareness programs from which a school district shall choose age-appropriate programs to use in the district's elementary school, middle school, junior high school, and high school health curriculum.¹¹⁹
- (2) Evidence-based programs may include the participation of local law enforcement agencies and qualified substance use prevention specialists to increase teachers' and students' awareness of drugs, including inhalants, and their effects.¹²⁰
- (d) Prevention measures.—The [department of health/substance abuse services] shall coordinate with state and local agencies and community-based leaders, drug court judges, advocates, and others to lead the development and implementation of local and community strategies to combat inhalant misuse and inhalant use disorder, including state and local law enforcement, substance use prevention, education, intervention, treatment, and recovery activities.¹²¹
- (e) Treatment of inhalant use disorder.—All substance use disorder treatment programs operated by the state or funded, in whole or in part, by state funds shall accept patients with a primary diagnosis of or suspected inhalant use disorder.

Commentary

Subsection (a) of this section amends the definitions of “substance abuse,” “substance misuse,” and “substance use disorder,” and any other similar terms used by a state, to include inhalants and inhalant use disorder to ensure that individuals with inhalant use disorder or who misuse or abuse inhalants have the same access to education, prevention, and treatment resources as individuals with other substance use disorders, such as opioid or stimulant use disorder. Additionally, applying these changes will create uniform definitions throughout a state's statutory code and rules and will make individuals with inhalant use disorder eligible for treatment that might not otherwise be available without this change.

Subsection (b) sets forth certain requirements for the department of health or the state's department of substance abuse services or similar agency related to education. They require the agency to work with prevention education programs and community-based organizations to establish education programs related to inhalants and inhalant use disorder similar to those programs for opioid use disorder and stimulant use disorder. They also require the agency to develop and coordinate certain media, including social media, campaigns related to inhalants in order to educate the public regarding the harms associated with inhalant misuse and abuse and

¹¹⁹ *Id.*

¹²⁰ CAL. PENAL CODE § 13862 (West 2026).

¹²¹ *Model State Office of Drug Control Policy Act*, LEGIS. ANALYSIS & PUB. POL'Y ASS'N, *supra* note 116.

inhalant use disorder. In addition, subsection (d) requires the department of health or state department of substance abuse services to coordinate with certain experts and law enforcement officials to implement prevention measures.

Subsection (c) includes additional education requirements geared toward school-aged children. This subsection, based primarily on Texas law, requires the state board of education to develop a list of educational programs appropriate for elementary, middle, junior high and high school-aged students from which school boards can choose to use in that school district in order to comply with the requirements of this section.

Inhalant use disorder is only rarely included in state definitions of “substance use disorder,” meaning that individuals with inhalant use disorder, or suspected inhalant use disorder, may not have the same access to substance use disorder treatment as individuals with, for example, opioid use disorder. Therefore, subsection (e) requires that all substance use disorder treatment programs in the state that receive state funds accept patients with a primary diagnosis of or suspected inhalant use disorder for treatment.

SECTION VIII. LIST OF KNOWN INHALANTS WITH POTENTIAL FOR ABUSE.

- (a) In general.—The [department of health] shall maintain a list of known inhalants with a potential for misuse or abuse which shall contain all known vapors, gases, or volatile solvents with the potential for misuse or abuse.
- (b) Annual update.—The [department of health] shall review and update the list at least once annually.
- (c) Availability.—The list shall be:
 - (1) Maintained on the [department of health]’s website;
 - (2) Distributed, via digital or analog methods, or both, to retailers licensed to sell such substances within the state as the list is updated; and
 - (3) Distributed, via digital or analog methods, or both, to all public and private schools, including elementary, secondary, and post-secondary institutions, as the list is updated.
- (d) Imposition of criminal penalties.—Any criminal penalties set forth in Section VI, subsections (a) and (c) related to use or possession of inhalants, shall not apply until a vapor, gas, or volatile substance has been on the list of known inhalants with potential for abuse for a period of not less than [six (6) months].
- (e) Adoption of regulations.—The [department of health] shall adopt regulations that set forth the procedures by which inhalants are added to the list of known inhalants with

potential for abuse.¹²²

Commentary

The purpose of this section, taken primarily from Guam law, is to ensure that the list of known inhalants is kept current. The section recommends that the state department of health or similar agency be responsible for maintaining the list as it will be in the best position to know of new and potentially harmful inhalants coming on the market or being abused or misused by people in the state.

Subsection (d) provides that any criminal penalties set forth in this Act related to the use or possession of a newly identified inhalant with potential for abuse should not take effect until at least six months have passed since the substance was identified in order to give individuals and businesses time to learn of the substance's inclusion on the list of known inhalants and the attendant criminal penalties associated with the use or possession of that substance.

SECTION IX. FUNDING.

- (a) Inhalant use disorder treatment and prevention fund.—The inhalant use disorder treatment and prevention fund (fund) is established in the general fund which shall be used to fund the education, treatment, and prevention activities of this Act.
- (1) The fund shall consist of civil and criminal fines collected pursuant to this Act and appropriations from the legislature.¹²³
- (2) The fund may also accept any gifts, grants, and endowments, public or private, as may be made from time to time, in trust or otherwise, for the use and benefit of the fund.
- (b) Appropriations.—Unless fully funded through another source, the [legislature] shall appropriate [\$] to the [relevant government entities] to assist in implementing the provisions of this Act.

Commentary

Funding sections in model laws can be complicated, as states fund projects through legislation in a variety of ways, and there is no “one size fits all” solution. However, if the Model Act omits the funding discussion altogether, the legislation gives the appearance of an unfunded mandate.

This section requires the creation of an inhalant use disorder treatment and prevention fund to be funded primarily through the collection of civil and criminal fines related to inhalants and legislative appropriations. Subsection (c) also permits the use of opioid settlement funds to

¹²² 9 GUAM CODE ANN. § 67.401.2.2 (2025)

¹²³ Adapted from ALASKA STAT. ANN. § 43.60.050 (West 2025).

fund the education, prevention, and treatment provisions of the Act, if permitted by the settlement agreements that govern the use of such funds.

SECTION X. RULES AND REGULATIONS.

The appropriate boards shall promulgate such rules and regulations as are necessary to effectuate this Act.

SECTION XI. SEVERABILITY.

If any provision of this Act or application thereof to any individual, entity, or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Act that can be given effect without the invalid provisions or applications and, to this end, the provisions of this Act are severable.

SECTION XII. EFFECTIVE DATE.

This Act shall be effective on [specific date or reference to normal state method of determination of the effective date].

ABOUT THE LEGISLATIVE ANALYSIS AND PUBLIC POLICY ASSOCIATION

The Legislative Analysis and Public Policy Association (LAPPA) is a 501(c)(3) nonprofit organization whose mission is to conduct legal and legislative research and analysis and draft legislation on effective law and policy in the areas of public safety and health, substance use disorders, and the criminal justice system.

LAPPA produces up-to-the-minute comparative analyses, publications, educational brochures, and other tools ranging from podcasts to model laws and policies that can be used by national, state, and local criminal justice and substance use disorder practitioners who want the latest comprehensive information on law and policy. Examples of topics on which LAPPA has assisted stakeholders include naloxone laws, law enforcement/community engagement, alternatives to incarceration for those with substance use disorder, medication for addiction treatment in correctional settings, and the involuntary commitment of individuals with alcohol or substance use disorders.

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